

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

MUHAMMAD AL-AMEEN,)	
f.k.a., TERRY D. RIVERS,)	
Plaintiff,)	
)	
v.)	CASE NO. 1:05-CV-1184-MHT
)	[WO]
)	
HOUSTON COUNTY JAIL NURSING, et al.,)	
)	
Defendants.)	

RECOMMENDATION OF THE MAGISTRATE JUDGE

On December 14, 2005, Muhammad Al-Ameen [“Al-Ameen”], a county inmate, filed this 42 U.S.C. § 1983 action. On January 5, 2006, this court entered orders, copies of which the Clerk mailed to Al-Ameen. The postal service returned these orders because Al-Ameen no longer resided at the address he had provided to the court. In light of the foregoing, the court entered an order requiring that on or before January 20, 2006 Al-Ameen inform the court of his present address. *See Order of January 13, 2006 - Court Doc. No. 8*. The court specifically cautioned Al-Ameen that his failure to comply with the directives of this order would result in a recommendation that this case be dismissed. *Id.* The plaintiff has filed nothing in response to the January 13, 2006 order. The court therefore concludes that this case is due to be dismissed.

CONCLUSION

Accordingly, it is the RECOMMENDATION of the Magistrate Judge that this case be dismissed without prejudice for failure of the plaintiff to prosecute this action. It is

further

ORDERED that on or before February 13, 2006 the parties may file objections to the Recommendation. Any objections filed must specifically identify the findings in the Magistrate Judge's Recommendation to which the party is objecting. Frivolous, conclusive or general objections will not be considered by the District Court. The parties are advised that this Recommendation is not a final order of the court and, therefore, it is not appealable.

Failure to file written objections to the proposed findings and advisements in the Magistrate Judge's Recommendation shall bar the party from a de novo determination by the District Court of issues covered in the Recommendation and shall bar the party from attacking on appeal factual findings in the Recommendation accepted or adopted by the District Court except upon grounds of plain error or manifest injustice. *Nettles v. Wainwright*, 677 F.2d 404 (5th Cir. 1982). *See Stein v. Reynolds Securities, Inc.*, 667 F.2d 33 (11th Cir. 1982). *See also Bonner v. City of Prichard*, 661 F.2d 1206 (11th Cir. 1981, *en banc*), adopting as binding precedent all of the decisions of the former Fifth Circuit handed down prior to the close of business on September 30, 1981.

Done this 30th day of January, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE